

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re Dealer Management Systems Antitrust Litigation, MDL 2817

This filing relates to:

Cox Automotive, Inc., et al. v. CDK Global, LLC, Case No. 1:18-CV-1058 (N.D. Ill.)

No. 1:18-CV-864

Hon. Robert M. Dow, Jr.

Magistrate Judge Jeffrey T. Gilbert

**CORRECTED STIPULATION OF DISMISSAL WITH PREJUDICE
OF THE COX PLAINTIFFS' COMPLAINT AND
CDK'S COUNTERCLAIMS AGAINST THE COX PLAINTIFFS**

WHEREAS, Plaintiffs/Counter-Defendants Cox Automotive, Inc., Autotrader.com, Inc., Dealer Dot Com, Inc., Dealertrack, Inc., HomeNet, Inc., Kelley Bluebook, Co., Inc., vAuto, Inc., VinSolutions, Inc., and Xtime, Inc. (collectively referred to as "Cox"), and Defendant/Counter-Plaintiff CDK Global, LLC ("CDK") have settled the claims and counterclaims against each other in the above-referenced litigation.

IT IS HEREBY STIPULATED, by and between Cox and CDK, that pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, Cox's Complaint, originally filed on December 11, 2017 in Case No. 17-cv-00925 (W.D. Wis.) (Dkt. 1), which was subject to Conditional Transfer Order No. 1 issued by the Judicial Panel on Multidistrict Litigation, MDL No. 2817 (Dkt. 68), and transferred to this Court on February 12, 2018 to Case No. 18-cv-1058 (N.D. Ill.) (Dkt. 1), and CDK's Counterclaims against certain of the Cox plaintiffs, filed February 15, 2019 in the MDL Master Docket, Case No. 18-cv-864 (N.D. Ill.) (Dkt. 518), are

hereby voluntarily dismissed WITH PREJUDICE. Each party shall bear its own attorneys' fees and costs, including but not limited to those provided for by Fed. R. Civ. P. 54.¹

This stipulation has no bearing upon, and shall not affect, any other claims or parties in this MDL. All parties reserve their rights with respect thereto.

Dated: July 12, 2019

Respectfully submitted,

/s/ Derek T. Ho

Derek T. Ho
Michael N. Nemelka
Aaron M. Panner
Daniel V. Dorris
Joshua Hafenbrack
Daniel S. Guarnera
Christine A. Bonomo
KELLOGG, HANSEN, TODD, FIGEL
& FREDERICK, P.L.L.C.
1615 M Street, N.W., Suite 400
Washington, D.C. 20036
Telephone: (202) 326-7900
dho@kellogghansen.com
mnemelka@kellogghansen.com
apanner@kellogghansen.com
ddorris@kellogghansen.com
jhafenbrack@kellogghansen.com
dguarnera@kellogghansen.com
cbonomo@kellogghansen.com

*Counsel for Cox Automotive, Inc.,
Autotrader.com, Inc., Dealer Dot Com, Inc.,
Dealertrack, Inc., HomeNet, Inc., Kelley
Bluebook, Co., Inc., vAuto, Inc., VinSolutions,
Inc., and Xtime, Inc.*

/s/ Britt M. Miller

Britt M. Miller
Matthew D. Provance
MAYER BROWN LLP
71 South Wacker Drive
Chicago, IL 60606
Phone: (312) 782-0600
bmiller@mayerbrown.com
mprovance@mayerbrown.com

Mark W. Ryan
MAYER BROWN LLP
1999 K Street NW
Washington, DC 20006
Phone: (202) 263-3000
mryan@mayerbrown.com

Counsel for CDK Global, LLC

¹ This corrected stipulation of dismissal is identical to the stipulation of dismissal filed on July 11, 2019 (Dkt. 722) except for the correction of the citation to CDK's counterclaims against certain of the Cox plaintiffs.

CERTIFICATE OF SERVICE

I, Derek T. Ho, an attorney, hereby certify that on July 12, 2019, I caused a true and correct copy of the foregoing **STIPULATION OF DISMISSAL WITH PREJUDICE** to be filed and served electronically via the court's CM/ECF system. Notice of this filing will be sent by e-mail to all parties by operation of the court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the court's CM/ECF System.

/s/ *Derek T. Ho*
Derek T. Ho